REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on

March 7, 2005. At the time the Examiner mailed the Office Action claims 1-9,

11-19, and 21 were pending. By way of the present response the Applicants

have: 1) amended claims 1-2, 8-9, 15-16, and 18-19. No new claims have

been added. As such, claims 1-9, 10-19 and 21 are now pending. The

Applicants respectfully request reconsideration of the present application and

the allowance of all claims now presented.

Claim Rejections

35 U.S.C. 103(a) Rejections

The Examiner rejected claims 1-4, 6, 8, 9, 11, 13, 15, 16, 18, 19 and 21

under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,349,668

(hereinafter "Gladstein") in view of U.S. Patent 5,848,231 (hereinafter

"Teitelbaum").

The combination of Gladstein and Teitelbaum do not teach what

Applicants are claiming. Specifically, the combination does not at least teach

"detecting that power available in said power source has reached a first

threshold value; notifying a remote portal server that the first threshold value

has been reached; detecting that power available in said power source has

reached a second threshold value; and saving data stored in volatile memory

on said portable apparatus to the remote portal server responsive to said second threshold value being reached."

Gladstein discloses saving operating data into a non-volatile memory when the power level of a device is at a point where there is substantially only sufficient remaining battery capacity to perform the save operation under program control. (Gladstein, col. 2, lines 8-17).

Teitelbaum discloses when using a network, a file server is often used for saving system data to a file server as a part of a timed system backup. (Teitelbaum, col. 15, lines 11-30). While the file server of Teitelbaum does have "power protection means and uninterrupted power supplies" to "provide battery power during power failures," Teitelbaum does not disclose attempting to the save immediate data of the computer to the file server upon the detection of low power. In fact, work is lost and only the most recent system backup can be loaded back into the computer because of this. (Teitelbaum, col. 15, lines 16-21).

Applicants respectfully submit that the combination does not at least teach "notifying a remote portal server that the first threshold value has been reached." Teitelbaum only discloses the use of timed backups and no notifications are sent to anything. Gladstein discloses a beeper under the control of a processor to sound an alarm sound on the device indicating when the charge in the battery is low. (Gladstein, col. 4, line 67 through col. 5, line 2.)

Applicants also respectfully submit combining these references does not disclose or suggest saving data stored in volatile memory on said portable apparatus to a remote portal server responsive to said second threshold value being reached, as claimed (directly or indirectly) in independent claims 1, 8, 15, and 18. Even if the combination suggested the claimed elements, the mere fact that the references could be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination (see MPEP §2143.01). Gladstein discloses saving operating data in a portable device to non-volatile memory upon low power detection which is a power event. Gladstein does not disclose or suggest storing the operating data to a portal server upon the occurrence of the power event. Teitelbaum discloses saving system data to a file server as a part of a timed system backup which is not a power event. (Teitelbaum, col. 15, lines 11-30). In fact, Teitelbaum only mentions power failures in connection with keeping the file server running during a power outage. (Teitelbaum, col. 15, lines 11-30). One skilled in the art would not be motivated combine Gladstein and Teitelbaum as they relate to different reasons (power events versus timed backups) and locations for saving data.

Accordingly, Applicants respectfully submit that the rejections relating to claims 1, 8, 15, and 18 have been successfully traversed. As claims 2-7, 9, 11-14, 16-17, 19, and 21 are dependent (directly or indirectly) on claims 1, 8, 15, and 18 Applicants respectfully submit that the rejections relating to these claims are also successfully traversed for at least the same reasons.

In light of the comments above, the Applicant respectfully requests the allowance of all claims.

CONCLUSION

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Thomas C. Webster at (408) 720-8300.

Respectfully Submitted,
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